

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**

NO. 95-12642

Priority: May 24, 2010

Maximum Diversion Rate: 0.04 CFS

This is to certify, that DONALD D. CRUICKSHANK  
7520 COLFAX ST  
DALTON GARDENS ID 83815

has applied for a permit to appropriate water from:

**Source:** COEUR D ALENE LAKE      **Tributary:** SPOKANE RIVER

and a permit is APPROVED for development of water as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 |

**LOCATION OF POINT(S) OF DIVERSION:**

COEUR D ALENE LAKE L1 (NE1/4SW1/4) Sec. 32, Twp 50N, Rge 03W, B.M. KOOTENAI County

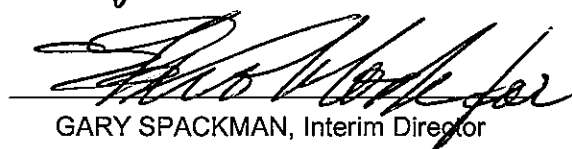
**PLACE OF USE:** DOMESTIC

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 50N 03W 32  |    |    |    |    |    |    |    |    | X  | X  |    |    |    |    |    |    |        |
|             |    |    |    |    |    |    |    |    | L1 | L2 |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2011**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
5. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
6. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 17<sup>th</sup> day of August, 2010.

  
GARY SPACKMAN, Interim Director



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

August 12, 2010

DONALD D CRUICKSHANK  
7520 COLFAX ST  
DALTON GARDENS ID 83815

RE: Permit No.95-12642

**Permit Approval Notice**

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER Issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

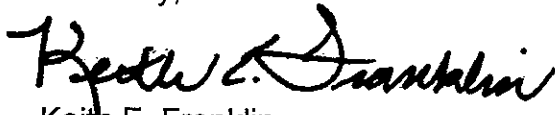
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 762-2800.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith E. Franklin". The signature is fluid and cursive, with the first name "Keith" being more prominent.

Keith E. Franklin  
Sr. Water Resources Agent

Enclosure(s)

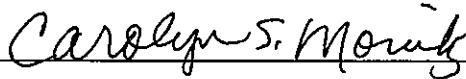
### **CERTIFICATE OF SERVICE**

I hereby certify that on August 12, 2010 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

**RE: WATER RIGHT NO.**

**95-12642**

**DONALD D CRUICKSHANK  
7520 COLFAX ST  
DALTON GARDENS ID 83815**

A handwritten signature in cursive script, reading "Carolyn S. Monitz", is written over a horizontal line.

**Carolyn S. Monitz  
Technical Records Clerk**

## **Statement of Available Procedures and Applicable Time Limits**

### **RESPONDING TO PRELIMINARY ORDERS ISSUED BY THE IDAHO DEPARTMENT OF WATER RESOURCES (To be used in connection with actions when a hearing was not held)**

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

#### **PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

#### **EXCEPTIONS AND BRIEFS**

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

#### **REQUEST FOR HEARING**

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

#### **ORAL ARGUMENT**

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

### **CERTIFICATE OF SERVICE**

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

### **FINAL ORDER**

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

### **APPEAL OF FINAL ORDER TO DISTRICT COURT**

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

## **Knoblock, Ken**

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**From:** Haynes, Bob  
**Sent:** Tuesday, August 10, 2010 2:59 PM  
**To:** Northern Region; Spackman, Gary; Peppersack, Jeff; Galloway, Chuck  
**Subject:** Annual Leave 8/11 - 8-17

I will be out of the office from 8/11 thru 8/17. Ken Knoblock is authorized to act as regional manager in my absence.

Bob

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET**

W.R. # 95-12642

APPLICATION ID # 76567

ENT. ED

BCA 7/7/10

OK to Publish 7/7/10

APPLICANT: Cruickshank

INITIAL REVIEW

BY: ED

DATE: 5/28/2010

**ITEM REQUIRED INFORMATION**

1. ☒ Name and Address
2. ☐ Source
3. ☐ Point of Diversion & County
4. ☐ Quantity
5. ☐ Nature of Proposed Use
6. ☐ Period of Use
7. ☐ Total Quantity
8. ☐ Description of diverting works
9. ☐ Time required for b/u
10. ☐ Proposed use
11. ☐ Place of use or acres irrigated
12. ☐ Other water Rights
13. ☐ Ownership
14. ☐ Map
15. ☐ Signature
16. ☒ Fee (Amt, receipt, acknowledgement)

\*\*\* Send info sheet Y ( ) N ( )

**ADDITIONAL INFORMATION**

(Yes)(No)

- ☒ Shape File Created Date 5-20-10 By: ED
- ☐ Field check: by \_\_\_\_\_
- ☐ Field report attached
- ☐ Analysis Supp. Attached (>5cfs/500af)
- ☐ Water delivered by water master? Water District # \_\_\_\_\_

**PROCESSING**

(Yes)(No)

PRIORITY DATE: 5/24/2010

☒

(Include Moratorium Remark)  
Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

**ADVERTISE IN:**

Newspaper: Kootenai County

Dates scheduled for publication 7/15 & 22/10

Affidavit of Publication received: 7/23/10

Dates actually published: 7/15 & 22/10

Application published correctly. Yes ☒ No ☐

If not, action taken: \_\_\_\_\_

Final Date for Protest: 8/2/10

Protests Received: Yes ☐ No ☒

**LETTERS SENT REQUESTING:**

- ☐ Dam Information ☐ Fish Information
- ☐ Power Information ☐ Other: \_\_\_\_\_

**INFORMATION RECEIVED:**

- ☐ Dam Information ☐ Fish Information
- ☐ Power Information ☐ Other: \_\_\_\_\_

**GROUNDWATER SECTION**

| WD Permit No.'s: | Tag # | Type:         | Fees          | Receipt No. | Upgrade Needed? |
|------------------|-------|---------------|---------------|-------------|-----------------|
| _____            | _____ | Dom. Non-Dom. | Paid \$ _____ | _____       | Y ( ) N ( )     |
| _____            | _____ | Dom. Non-Dom. | Paid \$ _____ | _____       | Y ( ) N ( )     |
| _____            | _____ | Dom. Non-Dom. | Paid \$ _____ | _____       | Y ( ) N ( )     |

- ☐ Groundwater management area
- ☐ Critical ground water area
- ☐ Well Drilling Permit required
- ☐ Well Drilling Application and Fees received
- ☐ Well Drilling Application approved?

Remarks: \_\_\_\_\_

**FINAL REGIONAL PROCESSING/REVIEW**

(Yes)(No)

- ☒ Notice of pending void order issued.
- ☐ Further information required from applicant \_\_\_\_\_
- Final order response date: \_\_\_\_/\_\_\_\_/\_\_\_\_

- ☒ Measuring device required
- ☒ Measuring port required
- ☒ Special conditions: SCREEN at Point of Diversion
- ☒ Special conditions of approval supplement and/or cover letter attached: \_\_\_\_\_

Approval Recommended by: Eric Johnson

Date: 8/9/2010 Sr. Agent initial ED

The following application(s) have been filed appropriate to the public waters of the State of Idaho:

95-12413

CURTIS E NELSON  
5971 E MULLAN TRAIL RD  
COEUR D'ALENE, ID 83814  
JOHN H HATROCK JR

6160 E LONG SHADOWY DR  
COEUR D'ALENE, ID 83814

Points of Diversion(3) NESW S21 T50N R03W KOOTENAI CO  
Source UNNAMED STREAM Tributary COEUR D'ALENE LAKE

Points of Diversion(5) SESW S21 T50N R03W KOOTENAI CO  
Source UNNAMED STREAM Tributary COEUR D'ALENE LAKE

Points of Diversion(2) SWSW S21 T50N R03W KOOTENAI CO  
Source UNNAMED STREAM Tributary COEUR D'ALENE LAKE

Use: IRRIGATION 03/15 to 11/15 0.14 CFS

Use: IRRIGATION STORAGE 01/01 to 12/31 8.4 AF

Use: IRRIGATION from STORAGE 03/15 to 11/15 21 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 17.4 AF

Use: RECREATION STORAGE 01/01 to 12/31 17.4 AF

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 17.4 AF

Use: AESTHETIC 01/01 to 12/31 0.2 CFS

Use: AESTHETIC STORAGE 01/01 to 12/31 29.4 AF

Use: AESTHETIC from STORAGE 01/01 to 12/31 12 AF

Total Diversion: 0.2 CFS

Date Filed: 5/27/2010

Place Of Use: AESTHETIC STORAGE

T50N R03W S21 NESW SWSW SESW

Place Of Use: AESTHETIC same as AESTHETIC STORAGE

Place Of Use: AESTHETIC from STORAGE same as AESTHETIC

Place Of Use: FIRE PROTECTION STORAGE and IRRIGATION

STORAGE same as AESTHETIC STORAGE

Place Of Use: RECREATION STORAGE AND WILDLIFE

STORAGE same as AESTHETIC STORAGE

Place Of Use: IRRIGATION and IRRIGATION FROM STORAGE

T50N R03W S21 NESW SESW

Total Acres: 7

Recreation use is for fishing, swimming & boating.

95-12628

STEVEN M LISS

KIM M LISS

14121 S HWY 97

HARRISON, ID 83833

Points of Diversion (2)

L2(SWNWNE) S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Point of Diversion L9(NWNWNE) S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Points of Diversion (2) NENENW S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Point of Diversion NENENW S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Point of Diversion SENENW S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Points of Diversion(4) SWNENW S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Points of Diversion(2) SENENW S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Point of Diversion NWNW S10 T49N R03W KOOTENAI CO

Source UNNAMED STREAM Tributary SQUAW CREEK

Use: IRRIGATION 03/15 to 10/15 0.2 CFS

Use: RECREATION 01/01 to 12/31 0.12 CFS

Use: RECREATION STORAGE 01/01 to 12/31 3.5 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.12 CFS

Use: FISH HABITAT STORAGE 01/01 to 12/31 3.5 AF

Total Diversion: 0.2 CFS

Date Filed: 5/27/2010

Place Of Use: FISH HABITAT STORAGE

T49N R03W S10 NENW

Place Of Use: RECREATION and RECREATION STORAGE

Same as FISH HABITAT STORAGE

Place Of Use: IRRIGATION T49N R03W S10 L2(NWNE) NENW

Total Acres: 15

95-12639

DAVID SWANSON

NANCY SWANSON

3334 N RAMPART RD

COEUR D'ALENE, ID 83814

Points of Diversion(2) SESE S5 T50N R03W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 5/27/2010

Place Of Use: IRRIGATION T50N R03W S5 SESE

Total Acres: 10

95-12642

DONALD D CRUICKSHANK

7520 COLFAX ST

DALTON GARDENS, ID 83815

Point of Diversion: L1(NESW) S32 T50N R03W KOOTENAI CO

Source COEUR D'ALENE LAKE Tributary SPOKANE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 5/24/2010

Place Of Use: DOMESTIC

T50N R03W S32 L1(NESW) L2(NWSW)

Domestic use is for 1 home.

95-12648

ALLAN G ROY

4308 S CONKLIN RD

GREENACRES, WA 99016

Point of Diversion: L4(NWNW) S15 T49N R04W KOOTENAI CO

Source COEUR D'ALENE LAKE Tributary SPOKANE RIVER

Use: IRRIGATION 03/15 to 11/15 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 5/28/2010

Place Of Use: IRRIGATION T49N R04W S15 L4(NWNW)

Total Acres: 1

95-12653

DOUG MORFITT

SHERRY MORFITT

2 SOUTH WOLF LODGE CREEK RD

COEUR D'ALENE, ID 83814

Point of Diversion SENE S16 T50N R02W KOOTENAI CO

Source WOLF LODGE CREEK Tributary COEUR D'ALENE LAKE

Use: IRRIGATION 03/15 to 11/15 0.12 CFS

Use: IRRIGATION STORAGE 01/01 to 12/31 12.3 AF

Use: IRRIGATION from STORAGE 03/15 to 11/15 12 AF

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Use: STOCKWATER STORAGE 01/01 to 12/31 0.4 AF

Use: STOCKWATER from STORAGE 01/01 to 12/31 0.1 AF

Use: RECREATION 01/01 to 12/31 0.01 CFS

Use: RECREATION STORAGE 01/01 to 12/31 0.3 AF

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 0.3 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 5/28/2010

Place Of Use: STOCKWATER T50N R02W S16 SWNE

Place Of Use: ALL OTHER USES same as STOCKWATER

STOCKWATER STORAGE

Total Acres: 4

Recreational use is for fishing.

Stockwater use is for 5 head of mixed stock.

95-12673

WILLIAM M O'DONNELL ET AL

6415 S WANETA RD

SPOKANE, WA 99223

Point of Diversion L4(SESW) S23 T49N R04W KOOTENAI CO

Source COEUR D'ALENE LAKE Tributary SPOKANE RIVER

Use: DOMESTIC 01/01 to 12/31 0.08 CFS

Total Diversion: 0.08 CFS

Date Filed: 5/12/2010

Place Of Use: DOMESTIC T49N R04W S23 L4(SESW)

Domestic use is for 2 homes.

95-12690

THOMAS MINOT

4994 S ROCKSHORE DR

COEUR D'ALENE, ID 83814

Point of Diversion L5(NWNW) S6 T49N R03W KOOTENAI CO

Source COEUR D'ALENE LAKE Tributary SPOKANE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 6/1/2010

Place Of Use: DOMESTIC T49N R03W S6 L5(NWNW)

Domestic use is for 1 home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 8/2/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 0183

July 15, 22, 2010

IDWR / NORTH

JUL 23 2010

RECEIVED

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,  
County of Kootenai,

SS.

Regina Mason being first duly sworn  
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

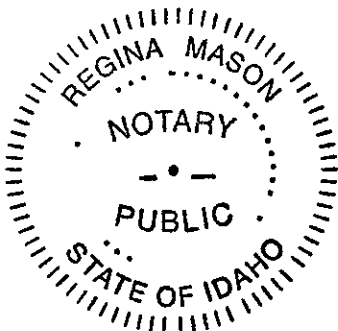
Legal Notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 15 day of July, 20 10, and ending on the 22 day of July, 20 10, and such publication was made as often during said period as said newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

On this 22 day of July, in the year of 2010, before me, a Notary Public, personally appeared Regina Mason, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Regina Mason  
Notary Public for the State of Idaho,  
residing at Coeur d'Alene, Idaho.



MY COMMISSION EXPIRES 6/18/15

RECEIVED  
JUL 23 2010  
IDWR / NORTH

**Ball, Dianne**

---

**From:** Ball, Dianne  
**Sent:** Thursday, July 08, 2010 1:40 PM  
**To:** Legal Notices-CdA Press; Legal Notices-CdAPress - Jaylene Farmer  
**Subject:** Application for Permit No. 95-12413, 95-12653, 95-12628, 95-12639, 95-12642, 95-12648, 95-12673, 95-12690

Good afternoon, Jaylene,

This is the second legal notice for publication as requested below. This one is a little longer than our usual ones due to extra long points of diversion, places of use, and types of usages.

Please publish the enclosed legal notice on the dates indicated, July 15 and 22, 2010, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 8/2/2010. Your cooperation is appreciated.



LegalNotice  
7-08-10 CDA e-mai.

Thanks for your wonderful help with these legals.

*Dianne Ball*

Administrative Assistant  
Idaho Department of Water Resources  
7600 N Mineral Dr., Ste. 100  
Coeur d'Alene, ID 83815  
208-762-2800 Fax 208-762-2819

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

95-12413

CURTIS E NELSON

5971 E MULLAN TRAIL RD

COEUR D ALENE, ID 83814

JOHN H HATROCK JR

6160 E LONG SHADOWY DR

COEUR D ALENE, ID 83814

Points of Diversion(3) NESW S21 T50N R03W KOOTENAI CO

Source UNNAMED STREAM Tributary COEUR D ALENE LAKE

Points of Diversion(5) SESW S21 T50N R03W KOOTENAI CO

Source UNNAMED STREAM Tributary COEUR D ALENE LAKE

Points of Diversion(2) SWSW S21 T50N R03W KOOTENAI CO

Source UNNAMED STREAM Tributary COEUR D ALENE LAKE

Use: IRRIGATION 03/15 to 11/15 0.14 CFS

Use: IRRIGATION STORAGE 01/01 to 12/31 38.4 AF

Use: IRRIGATION from STORAGE 03/15 to 11/15 21 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 17.4 AF

Use: RECREATION STORAGE 01/01 to 12/31 17.4 AF

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 17.4 AF

Use: AESTHETIC 01/01 to 12/31 0.2 CFS

Use: AESTHETIC STORAGE 01/01 to 12/31 29.4 AF

Use: AESTHETIC from STORAGE 01/01 to 12/31 12 AF

Total Diversion: 0.2 CFS

Date Filed: 5/27/2010

Place Of Use: AESTHETIC STORAGE

T50N R03W S21 NESW SWSW SESW

Place Of Use: AESTHETIC same as AESTHETIC STORAGE

Place Of Use: AESTHETIC from STORAGE same as AESTHETIC

Place Of Use: FIRE PROTECTION STORAGE and IRRIGATION

STORAGE same as AESTHETIC STORAGE

Place Of Use: RECREATION STORAGE AND WILDLIFE

STORAGE same as AESTHETIC STORAGE

Place Of Use: IRRIGATION and IRRIGATION FROM STORAGE

T50N R03W S21 NESW SESW

Total Acres: 7

Recreation use is for fishing, swimming & boating.

95-12628

STEVEN M LISS

KIM M LISS

14121 S HWY 97

HARRISON, ID 83833

Points of Diversion (2)

L2(SWNWNE) S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Point of Diversion L9(NWNWNE) S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Points of Diversion (2) NENENW S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Point of Diversion NENENW S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Point of Diversion SENENW S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Points of Diversion(4) SWNENW S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Points of Diversion(2) SENENW S10 T49N R03W KOOTENAI CO

Source SPRING Tributary SINKS

Point of Diversion NWNW S10 T49N R03W KOOTENAI CO

Source UNNAMED STREAM Tributary SQUAW CREEK

Use: IRRIGATION 03/15 to 10/15 0.2 CFS

Use: RECREATION 01/01 to 12/31 0.12 CFS

Use: RECREATION STORAGE 01/01 to 12/31 3.5 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.12 CFS

Use: FISH HABITAT STORAGE 01/01 to 12/31 3.5 AF

Total Diversion: 0.2 CFS

Date Filed: 5/27/2010

Place Of Use: FISH HABITAT STORAGE

T49N R03W S10 NENW

Place Of Use: RECREATION and RECREATION STORAGE

Same as FISH HABITAT STORAGE

Place Of Use: IRRIGATION T49N R03W S10 L2(NWNE) NENW

Total Acres: 15

Recreation use is for fishing and boating.

95-12639

DAVID SWANSON

NANCY SWANSON

3334 N RAMPART RD

COEUR D ALENE, ID 83814

Points of Diversion(2) SESE S5 T50N R03W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 5/27/2010

Place Of Use: IRRIGATION T50N R03W S5 SESE

Total Acres: 10

95-12642

DONALD D CRUICKSHANK

7520 COLFAX ST

DALTON GARDENS, ID 83815

Point of Diversion L1(NESW) S32 T50N R03W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 5/24/2010

Place Of Use: DOMESTIC

T50N R03W S32 L1(NESW) L2(NWSW)

Domestic use is for 1 home.

95-12648

ALLAN G ROY

4308 S CONKLIN RD

GREENACRES, WA 99016

Point of Diversion L4(NWNW) S15 T49N R04W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

Use: IRRIGATION 03/15 to 11/15 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 5/28/2010

Place Of Use: IRRIGATION T49N R04W S15 L4(NWNW)

Total Acres: 1

95-12653

DOUG MORFITT

SHERRY MORFITT

2 SOUTH WOLF LODGE CREEK RD

COEUR D ALENE, ID 83814

Point of Diversion SENE S16 T50N R02W KOOTENAI CO

Source WOLF LODGE CREEK Tributary COEUR D ALENE LAKE

Use: IRRIGATION 03/15 to 11/15 0.12 CFS

Use: IRRIGATION STORAGE 01/01 to 12/31 12.3 AF

Use: IRRIGATION from STORAGE 03/15 to 11/15 12 AF

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Use: STOCKWATER STORAGE 01/01 to 12/31 0.4 AF

Use: STOCKWATER from STORAGE 01/01 to 12/31 0.1 AF

Use: RECREATION 01/01 to 12/31 0.01 CFS

Use: RECREATION STORAGE 01/01 to 12/31 0.3 AF

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 0.3 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 5/28/2010

Place Of Use: STOCKWATER T50N R02W S16 SWNE

Place Of Use: ALL OTHER USES same as STOCKWATER

STOCKWATER STORAGE

Total Acres: 4

Recreational use is for fishing.

Stockwater use is for 5 head of mixed stock.

95-12673

WILLIAM M O'DONNELL ET AL

6415 S WANETA RD

SPOKANE, WA 99223

Point of Diversion L4(SES) S23 T49N R04W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

Use: DOMESTIC 01/01 to 12/31 0.08 CFS

Total Diversion: 0.08 CFS

Date Filed: 5/12/2010

Place Of Use: DOMESTIC T49N R04W S23 L4(SES)

Domestic use is for 2 homes.

95-12690

THOMAS MINOT

4994 S ROCKSHORE DR

COEUR D'ALENE, ID 83814

Point of Diversion L5(NWNW) S6 T49N R03W KOOTENAI CO

Source COEUR D'ALENE LAKE Tributary SPOKANE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 6/1/2010

Place Of Use: DOMESTIC T49N R03W S6 L5(NWNW)

Domestic use is for 1 home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 8/2/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 7/15/2010 and 7/22/2010



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815  
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

July 8, 2010

DONALD D CRUICKSHANK  
7520 COLFAX ST  
DALTON GARDENS, ID 83815

Application For Permit No. 95-12642

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 7/15/2010 and 7/22/2010. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Eric J. Davis  
Sr. Water Resource Agent

## Ball, Dianne

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**From:** Ball, Dianne  
**Sent:** Wednesday, July 07, 2010 4:24 PM  
**To:** mary.terra-berns@idfg.idaho.gov; cwashburn@idl.idaho.gov  
**Subject:** RE: Application for Permit No. 95-12642 Cruickshank, 95-12648 Roy, 95-12653 Morfitt, 95-12673 O'Connell and 95-12690 Minot

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. A copy of each of the applications is enclosed for your reference.

All of the following are from CDA Lake except for Morfitt, and that is from Wolf Lodge Creek tributary to CDA Lake.

These will be scheduled for publication in the CDA Press on July 15 and 22, 2010, with final protest date of 8/2/10.



95-12642  
Cruickshank.pdf



95-12648 Roy.pdf



95-12653 Morfitt,  
Doug.pdf



95-12673 O  
Donnell.pdf



95-12690 Minot.pdf

Your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

*Dianne Ball*

Administrative Assistant  
Idaho Department of Water Resources  
7600 N Mineral Dr., Ste. 100  
Coeur d'Alene, ID 83815  
208-762-2800 Fax 208-762-2819